

STATE OF INDIANA)
) SS:
COUNTY OF SULLIVAN)

IN THE SULLIVAN SUPERIOR COURT
2005 TERM
CAUSE NO. 77D01-0510-SC-00796

JUAN BLACKMAN-EL,)
 Plaintiff)
)
 VS.)
)
CRAIG HANKS)
 Defendant)

FILED
IN SUPERIOR COURT

OCT 17 2005


Clerk, Sullivan Superior Court

ORDER

Pursuant to I.C. 34-58-1-1, this Court has examined Plaintiff's proposed Small Claims Complaint and has determined, pursuant to I.C. 34-58-1-2, that the claim is frivolous in that it does not have an arguable basis in the law and does not state a claim upon which relief may be granted as to the named Defendant for the following reasons:

1. Plaintiff has failed to allege facts sufficient to prosecute this action against the Defendant pursuant to I.C. 34-13-3-5(c).

2. Upon review on the Small Claims Complaint submitted, Plaintiff is requesting reimbursement for personal property items. It appears from his Small Claims Complaint that the property he is requesting compensation for never made it to Wabash Valley Correctional Facility upon his transfer. The proper venue for this Small Claims Complaint would be the county in which the property was last located.

Further, Plaintiff has failed to pay the required filing fee of Seventy Dollars (\$70.00) nor has Plaintiff complied with I.C. 33-37-3-3. Specifically, Plaintiff has failed to provide the Court with a Certified Counselor's Statement and a copy of his Offender Trust Transactional History for the six (6) months immediately preceding the filing of this cause of action.

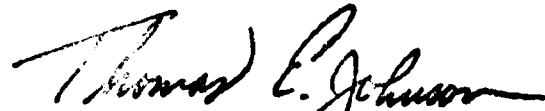
Based on the foregoing, the Court now dismisses this cause of action with prejudice.

SO RECOMMENDED this 17th day of October, 2005.


ANN SMITH MISCHLER
Magistrate Sullivan Superior Court



SO ORDERED this 17th day of October, 2005.



THOMAS E. JOHNSON
Judge Sullivan Superior Court

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